

X-20  
IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT  
IN AND FOR UTAH COUNTY, STATE OF UTAH.

Provo Reservoir Company,  
Plaintiff,  
  
-vs-  
  
Provo City, et al,  
Defendants.

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S T I P U L A T I O N .

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It is stipulated between the Plaintiff and the Defendant, Lake Bottom Canal Company that as against the plaintiff said defendant, the Lake Bottom Canal Company is entitled, as a primary right to 13-5/8 second feet of water measured at the head of its distributing laterals when the canal is in good repair. Said water is ordinarily supplied from percolating, seepage water and springs, arising in the bed of Provo River below the mouth of Provo Canyon; but in case the supply of said percolating, seepage water and springs should be insufficient to supply 13-5/8 second feet, then the said Lake Bottom Canal Company may take from the natural flow of Provo River sufficient to make up the amount lacking.

That after said defendant has been supplied with said 13-5/8 second feet of water as aforesaid, then, as against said defendant, the plaintiff is entitled to 1 second foot of water from the natural flow of Provo River for each 70 acres of land irrigated through the plaintiff's irrigation system.

When said amounts have been supplied to the parties hereto, respectively, then the defendant is entitled to sufficient waters to fill its canal to its full carrying capacity.

*Provo Reservoir Co.  
by Joseph R. Murdoch, Pres.*  
Alfred L. Booth of the  
Attorneys for Plaintiff.

J E Booth  
Attorney for Lake Bottom Canal Company

X-13

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT, IN AND FOR  
UTAH COUNTY, STATE OF UTAH.

PROVO RESERVOIR COMPANY,  
a corporation,

Plaintiff,

-vs-

PROVO CITY, a Municipal  
corporation, JOHN W. HOOVER,  
et al,

Defendants.

S T I P U L A T I O N

It is hereby agreed and stipulated by and between the plaintiff and the defendant, John W. Hoover, that the said defendant, John W. Hoover, is entitled to a primary water right on the Provo River System of <sup>fourteen</sup>~~eleven~~ cubic feet per minute, which said water right was decreed to the said defendant, John W. Hoover, under and by virtue of the John F. Chidester decree, which said decree was entered in the District Court of the Fourth Judicial District, in and for Utah County, State of Utah, on the 26th day of January, A. D. 1907. It is further stipulated and agreed by and between said parties that the said defendant, John W. Hoover, is also entitled to a further primary water right of one-tenth of all the water which ~~was~~ formerly used on the west side <sup>of the</sup> ~~of~~ the William Wright farm, which said farm was a part of the William Wright estate at the time that the decree above referred to was made; and that the said last named water right is equal to a flow of one hundred cubic feet per minute. It is further stipulated and agreed between the plaintiff and the said defendant that the said defendant is also entitled to the use of all the water from the springs which are now located on what is known as his lower <sup>W</sup> Deer Creek farm, which said farm is located in Provo Canyon, Wasatch County, State of Utah, and particularly described as follows, to-wit:

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Lots numbered three (3) and four (4) and the South east quarter of the Southwest quarter of section seven (7) and the lot numbered one (1) of section eighteen (18) in Township five (5) South of Range four (4) East of Salt Lake meridian in Utah Territory containing one hundred and fifty-eight and 36/100 (158 36/100) Acres.

It is further stipulated and agreed by and between the plaintiff and the defendant, John W. Hoover, that the said defendant is entitled to a high water right for eighty acres of the above described tract of land, which said land is situated on the Deer Creek Bench, in Provo Canyon, Wasatch County, State of Utah; which said water right was acquired under and by virtue of application to appropriate water of the State of Utah file number 2624; and which said application is dated at Provo, Utah, August 5, 1909, *and this right is subject to prior applications.*

*A. B. Hatch, one of the*  
Attorneys for Plaintiff, *acting by*  
*approval & consent of plaintiff,*  
*Parker & Robinson*  
Attorneys for Defendant.

east quarter of the Southwest quarter of section seven (7) and  
the lot numbered one (1) of section sixteen (16) in township  
five (5) south of range four (4) east of salt lake meridian in  
Utah Territory containing one hundred and fifty-eight and 30/100  
(158.30) acres.

It is further stipulated and agreed by and between  
the plaintiff and the defendant, John W. Hoover, that the said  
defendant is entitled to a high water right for eighty acres  
of the above described tract of land, which said land is situated  
on the near creek bench, in Grove Canyon, Wasatch County, State  
of Utah; which said water right was acquired under and by  
virtue of application to appropriate water of the State of Utah  
file number 2884; and which said application is dated at Provo,  
Utah, August 3, 1908. and this right is subject to prior application.

*Attorney for Plaintiff*  
*Attorney for Defendant*

IN DIST. COURT  
UTAH CO., UTAH,  
\* FILED \*  
MAY 15 1917  
*W. J. Peterson* Clerk.  
*C. J. Woods* Deputy.

BARBER & ROBINSON  
ATTORNEYS AT LAW  
PROVO, UTAH

IN THE DISTRICT COURT OF THE FOURTH JUDICIAL DISTRICT IN AND FOR THE  
COUNTY OF UTAH, STATE OF UTAH.

Provo Reservoir Company, Plaintiff,  
vs. STIPULATION.  
Provo City, et al, Defendants,

It is agreed between the plaintiff, Provo Reservoir Company and defendant, Utah Power and Light Company, that the issues arising upon the amendments to the complaint of the Provo Reservoir Company pertaining to the so-called Blue Cliff right, and the answer of the Utah Power & Light Company to the amendments and to the complaint as amended, shall be disposed of as between the plaintiff Provo Reservoir Company and defendant Utah Power & Light Company by a decision and decree under which the Provo Reservoir Company, as successor in interest to the Blue Cliff Canal Company, shall have a primary right to fifty second feet of the waters of Provo River, <sup>which shall include</sup> ~~including~~ Maple Springs, Pony Steel Springs, and all other springs originally arising in or discharging their water into the Blue Cliff canal.

It shall be provided by the decree to be entered herein that the point of diversion of all of said waters shall be at the location of the present head gate of the present Provo Bench Canal, which is below the tail race of the Utah Power & Light Company's present Olmstead hydro-electric plant, or at such other point or points as will not interfere with the use of the river portion of said fifty second feet by the Utah Power & Light Company through its said Olmstead plant as at present located.

This stipulation includes the rights specified in paragraphs 14 and 24 of the present decision of the court heretofore filed in this cause, and said decision shall be modified to conform hereto.

This stipulation is not intended to in any way affect any matters which may have been heretofore submitted to and are under advisement by the court, as to the quantity of water to which the Utah Power & Light company shall be entitled.

*Provo Reservoir Co.  
by Joseph R. Murdoch, Pres.  
Utah Power & Light Co.  
by Joseph Murdoch, Secy. atty.*

*John A. Hatch*  
Attorneys for Plaintiff.  
*John F. Macdonald*  
Attorney for Defendant.

Provo Reservoir Company,  
a corporation,

Plaintiff,

vs

Provo City et al

Defendants.

Stipulation

It is hereby stipulated and agreed by and between the parties who sign this instrument that the above named court shall convene at Provo City, in Wasatch County, Utah, and there hold court for a period of one week, commencing on the 21st day of August 1916, for the purpose of trying the issues in the above entitled cause.

J. H. McDonald  
 Grant O. Bagley  
 E. Booth  
 F. G. Conner  
 Jacob Evans  
 H. Evans  
 Thomas & Louie  
 Mathew & Frank Thomas  
 S. B. Thurman  
 A. B. Hatch  
 Chas. J. Wahlquist  
 W. S. Willes  
 Chase Hatch  
 Jacob Coleman  
 William H. King  
 Harvey Coffey  
 Alfred L. Booth

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